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Arizona Corporation Commission

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## BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION  
OF ARIZONA WATER COMPANY, AN  
ARIZONA CORPORATION, FOR  
ADJUSTMENTS TO ITS RATES AND  
CHARGES FOR UTILITY SERVICE  
FURNISHED BY ITS EASTERN GROUP  
AND FOR CERTAIN RELATED  
APPROVALS.

Docket No. W-01445A-02-0619

**ARIZONA WATER COMPANY'S  
RESPONSE TO INTERVENTION  
REQUEST**

Arizona Water Company ("AWC" or "the Company"), hereby responds to the intervention request made by a fictitious person, Michelle Byers ("Applicant"), as ordered in the Procedural Order dated May 2, 2003. Because the Applicant refuses to provide an actual identity and address, the Company is forced to oppose intervention.

A.A.C. R14-3-105 sets forth the requirements for intervention in Commission dockets. Under this rule, a person desiring to intervene must submit an application stating the basis for the application and must also demonstrate that their intervention will not unduly broaden the proceedings. With respect to the current request for intervention, the test is not met. In short, it is impossible to assess whether the Applicant has a basis to intervene if the Applicant refuses to identify herself because there is no way to determine whether the individual is an Eastern Group customer, and if so, in which of the Eastern Group systems subject to AWC's request for rate increases in this docket she has an interest. It is equally impossible to evaluate whether or not the applicant's intervention would unduly broaden the proceedings as neither the parties nor the

1 Commission have any idea who the Applicant is and where she resides. In fact, Applicant's  
2 refusal to identify herself so it can be determined if she is, in fact, a customer of AWC has  
3 already unduly broadened these proceedings.

4 Accordingly, Applicant's request for intervention should again be denied.

5 RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of May, 2003.

6 FENNEMORE CRAIG

7  
8 By 

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13 An original and 13 copies of the  
14 foregoing were delivered this 9<sup>th</sup> day of  
May, 2003 to:

15 Docketing Supervisor  
16 Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

17 A copy of the foregoing was delivered/mailed\* this 9<sup>th</sup>  
18 day of May, 2003 to:

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